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October 12, 1977
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Dear Senator Kennedy:

Thank you for your kind note concerning my testimony before the Committee on Human Resources.

I, too, look forward to a long, pleasant and productive association with you and your colleagues.

With my best wishes,

Sincerely,

Patricia M. Derian
Assistant Secretary for
Human Rights and
Humanitarian Affairs

The Honorable
Edward M. Kennedy,
United States Senate.

D/HA:CC

1 Mr. Fish. My interest and I am sure the Chairman's is
2 in the humanitarian aspect; if you came here and said you
3 wanted to bring 200 or this month's 500 right away, I'd give
4 you a sympathetic hearing. You have not done that. I really
5 would like to know and be assured that September's 400 to 500
6 boat cases are in fact not coming right off the South China
7 Sea, but are in temporary admission status in some country,
8 or being looked after; that 150 of them are being processed
9 for entry to the U.S., and that agencies under U.N. auspices
10 are looking after the others.

11 Mr. Habib. That any of them on shore have been or are
12 under or are receiving proper care and attention; they will
13 be processed in due course. Normally the conditional entry
14 procedure we have applied has been what, to the 150 level,
15 am I right? Yes. It was 100 cases a month, then I think INS
16 raised it to 150.

17 Mr. Lowman. Yes, sir.

18 Mr. Habib. That is correct.

19 As you know, the conditional entry is a worldwide
20 operation; it does not just apply to the Indochinese refugees.
21 This is their portion of the worldwide authorization under
22 the Immigration and Naturalization Act that is available for
23 use. Right at the moment we are concentrating on getting
24 the boat case backlog in, because those people have been out
25 the longest; they have been in the camps the longest. There i

1 a debilitating effect of being in the camps, and it is being
2 approached in that manner.

3 We have got teams out there right now processing these
4 people. So I cannot tell you that the 150 to come off the
5 boat this month are going to be processed this month.

6 Mr. Fish. I understand that.

7 Do you have figures as to how many boats are in the South
8 China Seas at this time?

9 Mr. Habib. No, I don't.

10 Do we have any idea, Bob?

11 Mr. Oakley. No.

12 Mr. Habib. We don't know; no, sir.

13 We do not know. All we are doing is projecting on the
14 basis of what we have known has taken place and the attitudes
15 of the people who come out as an illustration of the attitudes
16 of those that we might expect still to come out.

17 Mr. Fish. So surely there is a mechanism in place you
18 are satisfied with as to the rate of suffering of people who
19 do escape from South Vietnam in boats?

20 Mr. Habib. I don't know if it has ameliorated suffering
21 but for the moment we seem to have this thing in much better
22 condition than it was; and we take a certain degree of satis-
23 faction in that.

24 Mr. Fish. There is nothing further immediately you would
25 need from this Committee?

1 Mr. Habib. At this stage, no, sir. I think the fact
2 the Committee approved the 15,000 to get rid of that backlog
3 was a tremendous help to us.

4 Mr. Eilberg. Mr. Secretary, just two more questions and
5 then we will let you go.

6 One, do you not think that with Uncle Sam being so
7 generous in taking all these boat cases that we tend to
8 discourage some of the other countries of temporary asylum
9 and taking any of these people, since we are being so generou
10 as we are? How are we encouraging other countries?

11 Mr. Habib. It's really the other way around in terms of
12 temporary asylum it has helped. With some it is just gettin
13 I don't want to make promises -- of serious consideration und
14 our persuasion, agreeing to settle them permanently.

15 Mr. Eilberg. Do you have some specific evidence of that

16 Mr. Habib. As I said, we are just beginning to get --

17 Mr. Eilberg. Could you get us some of that for the reco:

18 Mr. Habib. I hope we can give you one for the record
19 that I just read yesterday; it is not in hand yet; but we are
20 going to follow up on it.

21 Mr. Eilberg. This will be in our hands for movement nex
22 week.

23 Mr. Habib. It's been a long run on this one and I can't
24 tell you by next week, but I'll tell you what we hope to do
25 in the next couple of years.